

Tim Budig, *Political Pulse* (blog)

Rep. Ryan Winkler, DFL-Golden Valley, joined the ranks of other Democrats including Congresswomen Betty McCollum by calling for Republican gubernatorial candidate Rep. Tom Emmer to concede the election.

"It's time to read the tea leaves: the party's over. Today's Supreme Court ruling leaves only 181 contested ballots in front of the state canvassing board, and an impossible 8,500 vote gap between Tom Emmer and the Governor's Office," Winkler said in a statement.

The court opinion issued today reads:

Because Minn. Stat. §§ 204C.20, subd. 1, and 206.86, subd. 1 (2008), use obsolete language that does not include the terms "polling place roster" or "voter's receipts," they do not unambiguously require local election officials to determine the number of ballots to be counted based only on the number of signatures on the polling place roster or prohibit reliance on the number of voter's receipts.

Construing the legislative intent of the ambiguous language in Minn. Stat. §§ 204C.20, subd. 1, and 206.86, subd. 1, based on the purpose to be achieved by the statutes, the language of current and former statutes on the subject, and the longstanding administrative interpretation of the statutes, it is clear that the Legislature intended to permit reliance on either signatures on polling place rosters or voter's receipts to determine the number of ballots to be counted.

The State Canvassing Board is scheduled to meet at 9 a.m. tomorrow morning in the State Office Building in St. Paul.

One question the board may deal with is whether or not to review ballots with challenges deemed frivolous by election judges.

According to the Minnesota Secretary of State's Office, less than 30 of these remain.

The board still needs to decide if and when they will review the ballots with challenges deemed frivolous. After the campaign's withdrawals today, less than 30 of these remain.

